

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

<b>KATHERINE I. LANNING,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. _____</b>
	)	<b>Removed from the Circuit Court for</b>
<b>v.</b>	)	<b>Putnam County, Tennessee</b>
	)	<b>Case No. 21-CV-128</b>
<b>PUBLIX SUPER MARKETS, INC.,</b>	)	<b>JURY DEMAND</b>
	)	
<b>Defendant.</b>	)	

**NOTICE OF REMOVAL**

Defendant, Publix Super Markets, Inc. ("Publix") respectfully removes this action to the United States District Court of Tennessee Pursuant to 28 U.S.C. §§ 1441, 1332, 1446. In support of this Notice of Removal, Publix states as follows:

1. On July 12, 2021, Publix was served through its registered agent with a copy of Plaintiff's complaint styled *Katherine I. Lanning v. Publix Super Markets, Inc.*, Case No. 2021-CV-128, Circuit Court for Putnam County, Tennessee ("State Court Action").

2. Copies of all process, pleadings, papers, and orders served upon Publix in the State Court Action are attached as Exhibit 1. 28 U.S.C. § 1446(a).

3. Pursuant to the State Court Action complaint, Plaintiff is domiciled in Tennessee.

4. Publix Super Markets, Inc. is a Florida corporation with its principle place of business located at 3300 Publix Corporate Parkway, Lakeland, Florida 33811.

5. Based upon the State Action complaint and upon information and belief, Plaintiff seeks a judgment against the defendant in the amount of one hundred thousand dollars (\$100,000.00).

6. The State Court Action is within the Court's original jurisdiction pursuant to 28 U.S.C. §1332 because complete diversity of citizenship exists between Plaintiff and Publix, and the amount in controversy exceeds \$75,000.00.

7. Venue is proper in this Court, as this Court is in the District in which the underlying State Court Action was pending. 28 U.S.C. § 1441(a).

8. Removal is timely. Publix was served by Certified Mail on July 12, 2021 and this Notice of Removal is within thirty days of service of the Complaint. 28 U.S.C. § 1446(b).

9. Publix is the only defendant to have been joined and served; therefore, there is no other defendant whose consent to removal is required. 28 U.S.C. § 1446(b).

10. Publix will promptly serve written notice of the removal of the State Court Action upon Plaintiff's counsel and shall file a copy of the Notice with the Clerk of the Circuit Court for Sumner County, Tennessee. 28 U.S.C. § 1446(d).

**WHEREFORE**, Defendant Publix Super Markets, Inc. hereby removes the State Court Action to this honorable Court.

Respectfully submitted,

/s/ John F. Floyd, Sr.

John F. Floyd, Sr., #14310

Summer E. Harcup, Practicing pending admission to  
the Tennessee Bar

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*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

Entered this 26th day of July 2021.

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*Counsel for Plaintiff*

/s/ John F. Floyd, Sr.